



***BOARD OF HEALTH***  
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Board of Health Regulation:  
Zone I Protections for Public Water Supply Wells

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1. Purpose and Applicability

The purpose of these regulations is to provide for the protection of public health, safety, welfare and the environment by providing the Board of Health adequate notice to oversee activities that may adversely affect the Town's water supply.

2. Authority

These regulations are adopted under the authority of M.G.L. c. 111, §§ 31, 122, 123, 127A.

3. Definitions

Zone I - the protective radius required around a public water supply well or well field, in accordance with 310 CMR 22. At the time of this writing, the Zone I radius for Millbrook Well field is 250' and Cape Pond Deep Rock wells are 400'.

4. Zone I Permit, Application, and Inspections

Whenever work is to be performed in the Zone I of a public water supply well, the owner or agent must submit to the Rockport Board of Health a written application including documents and schematics showing the work to be performed, at least 45 days before work is scheduled to begin, along with a fee of \$250.

The Board of Health Agent will review the initial request in preparation for a presentation for review and approval by the full Board of Health.

After a permit has been issued, the permittee must provide the Health Agent with a work schedule: days and times when work will be performed. Such notice must be received no less than 7 days prior to the start of work.

#### 5. Penalties

Failure to comply with these regulations is subject to fines of up to \$1,000 per day (MGL Ch. 111 Sec 123). Nothing in these regulations will limit the Board of Health from seeking further penalties as authorized by the General Laws or the Code of Massachusetts Regulations.

#### 6. Judicial Appeal

Any person aggrieved by the final decision of the Board of Health may seek relief there from in any court of competent jurisdiction, as provided by the laws of this Commonwealth.

#### 7. Severability

If any provision of these regulations is declared invalid or not enforceable, the other provisions shall not be affected thereby, but shall continue in full force and effect.

Adopted: June 17, 2021

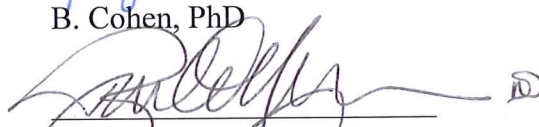
Summary Published: 7/2/21 Cape Ann Beacon

Copy of regulation sent to DEP: August 3, 2021

These regulations are adopted after majority vote at a duly posted public meeting.

Chairman:

  
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Ron Newman, MD

  
Sydney Wedmore, MD

  
Elizabeth Murphy, PA

  
Barbara McCarthy, RN, MPH